



Town of Merrimack, New Hampshire

Community Development Department

6 Baboosic Lake Road

Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

603 424-3531

Fax 603 424-1408

www.merrimacknh.gov

MEMORANDUM

Date: June 11, 2015

To: Robert Best, Chairman, & Members, Planning Board

From: Donna F. Pohli, Assistant Planner

Subject: **Keach-Nordstrom Associates, Inc. (applicant) and Valleyview Revocable Trust, Carol Maggio, Trustee (owner)** – Discussion and possible action regarding a request for a reinstatement of conditional final approval and a six month extension for compliance with conditions of an approval granted by the Planning Board on July 23, 2013 and July 8, 2014 to subdivide one lot into two single-family residential lots located at 15 Valleyview Drive in the R (Residential) District. Tax Map 5C, Lot 142. *This item is continued from the April 21, 2015 and May 19, 2015 Planning Board meetings.*

Background: Please refer to the memo dated April 15, 2015 for the background on this item. Also included in your packets are the minutes from the meeting.

Progress since the last meeting/memo: As the Board is aware the applicant (via their attorney) requested continuance from the May 19th, 2015 meeting explaining that the applicant was “diligently working to complete the required improvements requested by the Town of Merrimack” and that by the next meeting they would have positive information to report. The Board will need to decide whether to reinstate and extend the conditional approval for the project or to deny the request (which depends on the Board’s decision regarding the performance bond to be discussed prior to this item on the agenda).

For a list of work that still remains to be done on the off site improvements (as of the Public Works Department most recent site inspection on June 9, 2015), please see Tim’s memo dated June 11, 2015 which contains the outstanding items from the Deputy Public Works Director/Town Engineer.

Recommendation: The Planning Board will need to determine if the applicant is making sufficient progress to justify the reinstatement and extension of conditional final approval for the two-lot subdivision. At this point, CD Staff has not heard anything from the applicant or his attorney regarding the project since the Planning Board meeting on May 19th. Ultimately, the decision on how to handle this situation is with the Board.

The Board has two options available at this point, both of which depend on the action on the performance surety. Please refer to the recommendations in Tim’s June 11, 2015 memo.

Cc: File
Correspondence

Ec: Valleyview Revocable Trust, c/o Carol Maggio, Trustee
Michael Maggio, FHB Consulting
Tony Basso, Keach-Nordstrom Associates, Inc.
Kyle Fox, Deputy Director of Public Works
Captain John Manuele, Fire Department
Carol Miner and Fred Kelley, Building Department
Ron Miner, Superintendent, MVD